

REMARKS

Applicant has amended claims 1 , 12 and 13 of this application to more particularly point out his invention, including the complete physical separation between the weigh station and the drive motor provided by Applicant's disengageable motor drive.

In the Office Action, the Examiner has maintained his rejection of Claims 1-7 and 12-19 as anticipated by Krolopp, U.S. patent no. 3,539,028, Claims 8-11 and 20 as obvious over Krolopp in view of Smith et al., U.S. patent no. 4,130,171, and Claim 21 as obvious over Krolopp in view of Smith and further in view of Hebenstreit, U.S. patent no. 6,441,321.

However, Krolopp does not disclose the claimed disengageable motor drive connection that provides the capability to completely physically disengage a drive motor from the load cell during the weighing process, thus eliminating extraneous inputs to the load cell from contact with the drive motor. Krolopp merely describes a pneumatic cylinder supported by a load cell, which drives a rotating bucket through a one-way clutch. Consequently, even when not driving the bucket, the pneumatic cylinder is always in contact with the load cell, and therefore, affects the accuracy of the resulting weight indication. This arrangement does not provide the complete physical separation between the weigh station and the drive motor provided by Applicant's disengageable motor drive and explicitly required by the independent claims. Accordingly, Krolopp does not disclose the disengageable motor drive connection as described and claimed by Applicant and cannot anticipate Applicant's claims under 35 U.S.C. § 102(b).


Further, for the same reason, Krolopp cannot serve as a valid reference for claim rejections under 35 U.S.C. § 103(a). Although applicant respectfully asserts that none of the three cited patents disclose or suggest other limitations included in the rejected claims, applicant

believes that the absence of the disengageable motor drive connection alone, as discussed above, resolves the Examiner's concern. Accordingly, in the interest of efficiency, applicant elects to forgo further argument on these other limitations not present in the cited patents. In foregoing discussion of these additional limitations not present in the cited patents, applicant does not waive his right to fully discuss the other limitations, if necessary, in the future.

Additionally, Krolopp does not disclose the claimed feature of applicant's invention which provides sending a control signal to the motor to disengage the connection *after* a portion is received in the receptacle. By contrast, Krolopp discloses a rotating bucket, which when driven into one of the 120 degree indexing positions by the idling of the pinion (Col. 3, ln. 13-16), activates switch S which *then* reactivates the vibratory feeder motor M, thus commencing the delivery of material to the bucket (Col. 4, ln. 19-14). Hence, in Krolopp, the portion can be received only *after* the drive connection is disengaged. Accordingly, the limitation of sending a control signal to the motor to disengage the connection *after* a portion is received as found in claims 1, 12 and 17 is not present in the disclosure of Krolopp and it cannot serve as a basis for rejection of these claims.

Applicant respectfully asserts that the rejections under Sections 102 and 103 should be withdrawn. In light of the foregoing remarks, it is submitted that this application is in condition for allowance and prompt and favorable reconsideration is respectfully requested. The Examiner is encouraged to contact the undersigned via telephone to resolve any outstanding issues.

Respectfully submitted,

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